

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

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ANNA A. BLANTON o/b/o NATALIE A. BLANTON	:	CASE NO. 1:10 CV 2463
Plaintiff,	:	
-vs-	:	<u>ORDER ADOPTING REPORT AND</u>
MICHAEL J. ASTRUE Commissioner of Social Security, Defendant.	:	<u>RECOMMENDATION</u>
	:	

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UNITED STATES DISTRICT JUDGE LESLEY WELLS

Plaintiff Ann Blanton challenges the Commissioner of Social Security's decision to deny her claim for disability insurance benefits (DIB) and supplemental security income benefits (SSI) on behalf of her deceased daughter, Natalie Blanton. This case was automatically referred to United States Magistrate Judge Nancy A. Vecchiarelli for a Report and Recommendation ("R&R") pursuant to Local Civil Rule 72.2(b). In her R&R, Magistrate Judge Vecchiarelli recommends that: (1) the Commissioner's Motion to Dismiss be granted, with the Commissioner's motion to dismiss the Plaintiff's claim for SSI granted with prejudice and his motion to dismiss the Plaintiff's claim for DIB granted without prejudice; (2) the Plaintiff's Motion to Amend be denied because the proposed amended complaint does not cure the defect in the original complaint; and, (3) the Plaintiff be permitted to file a second amended complaint consistent with the Report and Recommendation within 14 days, provided she has a good faith factual basis and evidentiary support for the filing. (Doc. 20).

No party has objected to the Magistrate Judge's R&R. Therefore, it must be assumed the parties are satisfied with the Report's conclusion. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir. 1981).

Accordingly, the Magistrate Judge's R&R is adopted.

IT IS SO ORDERED.

/s/Lesley Wells  
UNITED STATES DISTRICT JUDGE

Date: 6 July 2011